

REMARKS

Reconsideration of the subject application in view of the present amendment is respectfully requested.

By the present amendment, claims 13, 18, and 20 have been amended.

Based on the foregoing amendments and the following remarks, the application is deemed to be in condition for allowance, and action to that end is respectfully requested.

The Examiner has rejected claims 11-13, 15-16 and 18-20 under 35 U.S.C. § 102(b) as being anticipated by Rudolf, U.S. Patent No. 5,058,909 (Rudolf '909). It is respectfully submitted that claims 11-13, 15-16 and 18-20 are patentable over Rudolf.

Specifically, claim 18 recites that the predetermined, constant radius R runs from the axis of the annular support member and the axis of which extends parallel to and spaced from the pivot axis (a) (of the locking lever). This feature is shown in Figs. 1 and 2. Also, claim 20 discloses an annular support member having a predetermined radius and an axis of which extends parallel to the pivot axis and is spaced therefrom. This is not disclosed in Rudolf '909.

In Rudolf '909, as it is shown in the sketch attached to the Office Action the “slider” axis coincides with the pivot axis of the lever.

The slider according to the present invention and arranged, as shown in Figs. 1-2, substantially reduces the force necessary for locking and release of the locking device.

It is respectfully submitted that Rudolf '909 does not anticipate or makes obvious the present invention as defined by claims 18 and 20, even assuming, *arguendo*, that the camming surface of the lever constitutes “a slider” within the meaning of the present invention. The “slider” of Rudolf '909 is not arranged as claimed in claims 18 and 20.

As it has been discussed previously, the Federal Circuit holds that 35 U.S.C. § 102 requires no less than “complete anticipation . . . [a]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim” (emphasis added). Connell v. Sears, Roebuck & Co., 220 U.S.P.Q. 193, 198 (Fed. Cir. 1983); See also, Electro Medical Systems, 32 U.S.P.Q. 2d at 1019; Verdegaal Bros., 2 U.S.P.Q. 2d at 1053.

In view of the above, it is respectfully submitted that Rudolf '909 does not anticipate or makes obvious the present invention as defined in Claims 18 and 20, and the present invention is patentable over Rudolf '909.

Claims 11, 13, 15, 16 and 19 depend on Claim 18 and are allowable for the same reasons Claim 18 is allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place the case in condition for final allowance, it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 23313-1450, on September 28, 2004

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